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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,315	03/05/2002	Jason E. Bryant	600.1215	9038

23280 7590 09/24/2003

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EXAMINER

TAWFIK, SAMEH

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,315

Applicant(s)

BRYANT ET AL.

Examiner

Sameh H. Tawfik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 . 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(claims 9 and 18, line 1) "the stripper belt" is vague, indefinite, and/or confusingly worded because it is not clear which stripper belt applicants are referring to, is it the second stripper belt or the first; etc.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Jeschke et al. (4,344,610).

Jeschke discloses method and device for transporting a flat product comprising a rotating transport cylinder (Fig. 2; via 31) defining an axis of rotation and configured to guide the flat product (via web 1) at a circumference of the cylinder over a first angle of rotation of the cylinder; and a continuous stripper belt (Fig. 2; via 33) disposed between the flat product and the axis of rotation over a second angle of rotation of cylinder and configured to guide the flat

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product away from the cylinder so as to strip the flat product from the cylinder, the stripper belt following a continuous path that does not circumscribe the axis of rotation, see for example (Figs. 1 and 2).

Regarding claims 2 and 11: the transport cylinder includes a gripper (via 36) configured to releaseably grip the flat product during the first angle of rotation (Figs. 1 and 2).

Regarding claims 3 and 12: the second angle of rotation includes the first angle of rotation, see for example (Figs. 1 and 2).

Regarding claims 4 and 13: a plurality of belt (9, 28, and 34) guides configured to guide the stripper belt along the continuous path (Figs. 1 and 2).

Regarding claims 5 and 14: the continuous path surrounds at least one half of the circumference of the cylinder (Figs. 1 and 2).

Regarding claims 6 and 15: the cylinder defines a groove in the circumference and wherein the stripper belt is disposed in the groove over at least part of the continuous path, see for example (Figs. 1 and 2), note that the belt go around the cylinder without showing any extra thickness on the cylinder, which is obvious that the belts are located in groove.

Regarding claims 7 and 16: a stripper roller having a second axis of rotation parallel to the axis of rotation of the transport cylinder, the stripper roller disposed adjacent to the transport cylinder (Figs. 1 and 2; via roll 8 and/or 39).

Regarding claims 8 and 17: a second continuous stripper belt (via 34) disposed between the flat product and the axis of rotation over a third angle of rotation of the cylinder and configured to guide the flat product away from the cylinder so as to strip the flat product from

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the cylinder, the second stripper belt following a second continuous path that does not circumscribe the axis of rotation, see for example (Figs. 1 and 2).

Regarding claims 9 and 18: "the stripper belt" has a round cross section (Figs. 1 and 2).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schneider 4746107, Schmitt 4564470, Bolza 4279410 disclose different method and apparatus for transporting a flat product.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is (703) 308-2809. The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on (703) 308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 308-7769 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ST.
February 25, 2004